

CHRISTIAN, SAMSON, JONES & CHISHOLM, PLLC

Attorneys at Law

DAVID R. CHISHOLM  
CALVINT. CHRISTIAN  
KIRBY S. CHRISTIAN  
PAUL E. FICKES. LL.M. in Tax

310 WEST SPRUCE  
MISSOULA, MONTANA 59802  
TEL: (406)721-7772 FAX: (406)721-7776  
EMAIL: jason@csjlaw.com

KEVIN S. JONES  
LIANA J. MESSER  
RICHARD J. SAMSON  
JASON B. WILLIAMS

May 29, 2007

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commissions  
445 – 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Filed Via ECFS**

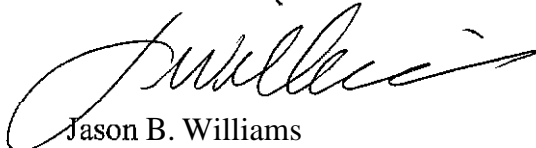
RE: CC Docket No. 96-45, Range Telephone Cooperative Inc's. Petition for Waiver of  
the Commission's Universal Service Rules

Dear Ms. Dortch:

Attached is a letter submitted to Jeremy Marcus and Jennifer McKee of the  
Telecommunications Access Policy Division in the above captioned docket. Pursuant to  
§1.1206(b) of the Commission's rules, this submission is being filed for  
inclusion in the public record for this docket.

Sincerely,

CHRISTIAN, SAMSON, JONES  
& CHISHOLM, PLLC



Jason B. Williams

JBW/

# CHRISTIAN, SAMSON, JONES & CHISHOLM, PLLC

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JASON B. WILLIAMS

May 29, 2007

Mr. Jeremy Marcus  
Chief – Telecommunications Access Policy Division  
Federal Communications Commissions  
445 – 12<sup>th</sup> Street, SW  
Washington, DC 20554  
Via ECFS

RE: Range Telephone Cooperative Inc.'s Petition for Waiver of the Commission's  
Universal Service Rules, CC Docket No. 96-45

Dear Mr. Marcus:

On March 28, 2007, Range Telephone Cooperative, Inc. ("Range") filed a Petition for Waiver of 47 CFR § 54.307(c) for a one-time waiver of the Commission's line-count filing deadline. This letter supplements that petition.

Range was designated an eligible telecommunications carrier ("ETC") by the Montana Public Service Commission on March 21, 2006. On March 24, 2006, Range submitted its high cost model ("HCM") line count data for lines as of September 30, 2005, and its interstate access support ("IAS") line count data for lines as of December 31, 2005. This filing complied with the Commission's filing rules set-forth in Section 54.307(c)(4) (as to HCM line count information) and Section 54.802(a) (as to IAS line count information). After this March 24, 2006 filing, Range's then-Chief Financial Officer, Robin Stephens, began communicating with Universal Service Administration Company ("USAC") staff as to the line count data Range needed to submit pursuant to Section 54.307(d), known as the 60 day waiver rule. On May 16, 2006, Range submitted a variety of filings as required under the 60 day waiver rule. On that same date, Range also submitted line count data information that was not due until June 30, 2006. Specifically, Range submitted its IAS line count data as of March 31, 2006. Mr. Stephens also has a good faith belief that on May 16, 2006, he filed the necessary HCM line count data for lines as of December 31, 2005. This early filing is consistent with Range's history of filing its line count data submissions more than one month before the various Commission submission deadlines.'

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<sup>1</sup> By way of example, Range submitted its HCM line count data as of September 30, 2006, and IAS line count data as of June 30, 2006, on December 1, 2006—more than 30 days before it was due. Range submitted its HCM line count data as of March 31, 2006, and IAS line count data as of June 30, 2006, on August 24, 2006—37 days before it was due. Range submitted its HCM line count data as of September 30, 2006, and IAS line count data as of December 31, 2006, on February 16, 2007—43 days before it was due.

As described in its petition, Range believes the issue in this matter is attributable to miscommunication and a mistake of fact between Range and USAC. Mr. Stephens was of the belief that when he inquired as to whether USAC had received all line count data information needed to receive support as of its ETC effective date, that information included all line count data that needed to be submitted during the 60-day waiver period as well as all line count data that was due June 30,2006. Mr. Stephens has affirmed this good faith belief in an affidavit submitted in this proceeding whereby Mr. Stephens states that between March 2006 and August 2006, he had multiple conversations with USAC staff whereby USAC told him they had received all the necessary line count data information for Range to receive support back to its ETC effective date. The affidavit shows that at least some of these conversations occurred after June 30,2006 — the date by which fourth quarter 2005 HCM line count data was due. Accordingly, Mr. Stephens' good faith belief that Range had submitted all line count information, including line count data that was due June 30,2006, was justified as USAC told him they had received everything needed to receive high cost support.

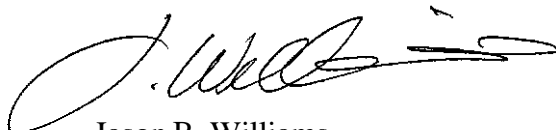
Range believes it is possible USAC disregarded the HCM line count data filing that was submitted on May 16,2006, as USAC appears to have been only concerned with obtaining line count data that was due during the 60-day waiver period at that time. Range's presumption is strengthened by the fact that USAC appears to have requested, and Range provided to it on May 16,2006, copies of its IAS line count data as of December 31,2005 — information which Range had previously provided to USAC on March 24,2006. In this case, the affect of disregarding that line count data (if indeed that is what has occurred) is to punish Range because it filed its line count data 45-days before the deadline.

Presumptions aside and as described in its waiver petition, Range believes good cause exists to grant its petition. Range believes the most important factor justifying its position is that if its waiver petition is denied, consumers living in Forsyth, Montana will be harmed.<sup>2</sup> Broadband service did not exist in the Forsyth exchange until Range began providing service there. Large portions of the rural Forsyth exchange still have no access to any type of broadband service. But Range is committed to building out its network to provide broadband access to every consumer living in the Forsyth exchange. The Commission's denial of Range's waiver petition will significantly delay the build-out of broadband in the Forsyth exchange, denying consumers that want broadband the ability to receive it. By granting Range's waiver petition, the Commission will give Range the tools necessary to ensure that every person living in the Forsyth exchange that wants broadband service will be able to get it.

Please contact me if you have any further questions regarding this matter

Sincerely,

CHRISTIAN, SAMSON, JONES  
& CHISHOLM, PLLC

A handwritten signature in black ink, appearing to read 'J. Williams', with a stylized flourish at the end.

Jason B. Williams